

The Honorable Tana Lin
Sentencing: January 17, 2025, 10:00 am

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MUNIR WALJI

Defendants.

No. 2:23-cr-00011-TL

SENTENCING MEMORANDUM

I. INTRODUCTION

Munir Walji is 72 years old and has never been accused of any form of criminal act prior to this case. In the three-plus years since his interaction with MV1, there has not been any allegation that he has violated his conditions of pretrial release or engaged in any other type of misconduct.

1 Mr. Walji has multiple life-threatening health conditions that require
2 intensive care from a range of medical specialists. Due to his ongoing battle with
3 cancer and the immunosuppressant drugs he takes, he struggles to stay healthy
4 even when he is receiving exceptional medical services and living in a clean
5 environment. He battles chronic pain, including crippling pain in his legs that will
6 require a serious surgery to insert a nerve-blocking device near his spine.
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9 As a result of this conviction, Mr. Walji's multi-decade career as a
10 successful businessman is certainly over. His ability to travel anywhere—much
11 less to the hotels and properties he once owned and managed—will be severely
12 curtailed. His remaining days will be spent with the family and close friends who
13 have stood by him throughout these proceedings based on their admiration and
14 respect for his many accomplishments and the kindness that he has shown to
15 others.
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18 These factors dictate that a sentence that is “sufficient, but no greater than
19 necessary,” need not involve incarceration at a BOP facility. Taking into
20 consideration both Mr. Walji's health issues and the multitude of collateral
21 consequences that this conviction will entail, imposing ten years of Supervised
22 Release (in conjunction with a period of home confinement, if the Court believes it
23 necessary) meets the objectives of 18 U.S.C. § 3553.
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1 **II. GUIDELINES CALCULATION**

2 The defense concurs with probation that Mr. Walji's offense level is "18."

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4 Because Mr. Walji has no criminal history, his guidelines range is 27-33 months.

5 **III. FACTUAL BACKGROUND**

6 **A. Offense Conduct**

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8 As this Court is aware, Mr. Walji was accused of Sexual Abuse of a Minor
9 in a Special Aircraft Jurisdiction in violation of 18 U.S.C. § 2243(a) and § 2246(2),
10 and Abusive Sexual Contact in a Special Aircraft Jurisdiction in violation of
11 18 U.S.C. § 2244(b). Mr. Walji was acquitted of the former charge but convicted
12 of the lesser-included "attempt offense." He was convicted as charged of the latter
13 offense.
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16 During the trial, MV1 testified that Mr. Walji put his hand on her thigh, then
17 began to put his hand down her pants. According to MV1, Mr. Walji did not
18 actually touch her vagina, but instead stopped, removed his hand, and pretended to
19 be asleep when she reacted to his advances. Mr. Walji denied that any form of
20 misconduct occurred. Mr. Walji has received and reviewed the victim impact
21 statement submitted by MV1's mother.¹
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27 ¹ Due to the possibility of appeal, on the advice of counsel Mr. Walji does not
28 intend to allocute at the sentencing hearing.

B. Mr. Walji's Personal History

Mr. Walji's life story reflects tremendous resilience and grace in the face of adversity. Mr. Walji was the first born among his two brothers on March 7, 1952, in Mbale Uganda. While Mr. Walji's family faced racial and economic discrimination under British rule, his father obtained rapid economic success after the demise of the colonial government in Uganda in 1962.

Mr. Walji enjoyed a happy childhood. He had a close relationship with his mother and father who instilled strong pro-social values for hard work, honesty, integrity, respect, humility, and gratitude. Even at a young age Mr. Walji was known to help and uplift those around him.

Zulfikar Nagji grew up with Mr. Walji in Uganda and provided a letter with insight into Mr. Walji's youth. Mr. Nagji writes:

I have known Munir since childhood; we were together in school, in Uganda, and in the same classroom beginning with Primary Grade 1 (6-years old) and going up to Secondary level which is "O-levels" (18-years old). Throughout those 12 years, Munir had been a model student, achieving excellent grades in studies/exams, very good at sports, quite soft spoken and having a most likeable quality of character and integrity. Everybody in our class and indeed in our school, admired Munir for his exemplary manners.

He also had a lot of empathy for students who were less fortunate and marginalized, often helping them with material resources. He was always willing to help and support any student in need of assistance or those who were less fortunate than him. Very often, he would give his time and knowledge to students who needed help in studies by lending

1 them his personal and extra notes that he had acquired from different
2 text books in the reference library.

3 Exhibit 4 (Letters from Mr. Walji's friends and supporters).

4 This sentiment is echoed by Nasir Walji, Mr. Walji's youngest brother.

5 Nasir writes: "I recall him approaching our father several times when he learned of
6 opportunities to help members of our community, including funding other kid's
7 tuition, uniforms, books, and other items necessary for school. His generous spirit
8 has stayed with him – since young adulthood, he has given back 12.5% of his
9 income (on average) to our community." Exhibit 2 (Letters from Mr. Walji's
10 family).

11 Shabir Walji, the middle of the three Walji brothers, also wrote about how
12 Mr. Walji's generous spirit emerged at a young age:

13 Since our very young days growing up in Uganda, a poor country, he
14 made sure that at every opportunity, other kids and his brothers
15 enjoyed small things that he could share. These included his bike,
16 candies, clothing, shelter. He gathered some money for boys that
17 wanted to join Boy Scouts (he was a Boy Scout) and paid for their
18 fees and uniforms.

19 Ex. 2.

20 Unfortunately, Mr. Walji's family was among the many hundreds of
21 thousands of victims of the rise of Idi Amin in Uganda. He was forced to flee the
22 country when he was 17 with nothing but the clothes on his back. It would be

1 tempting write that his family lost “everything.” While they lost all of their
2 material possessions and their home, they escaped Uganda with their health and
3 love for one another intact. They made their way to Manchester, England, where
4 they waited in a refugee camp for a resettlement opportunity. Ultimately, Canada
5 accepted them.
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8 In his letter to the Court, Nasir Walji recalled how this transition forced
9 Mr. Walji to take on an even greater leadership role. He writes: “[Mr. Walji]
10 traveled to Canada alone initially, without sibling or parent with him. His sacrifice
11 paved the way for the rest of our family to make our way there a few years later.
12 He stepped into the role of an older brother more deeply and played a pivotal role
13 in our family’s adjustment, happiness and success in a new, foreign country.”
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16 Ex. 2.
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18 In addition to taking on great responsibility to reestablish his family in
19 Canada, Mr. Walji helped newly arriving refugees from Uganda resettle in Canada.
20 Nazir Javer, a friend of Mr. Walji’s since the 1970s, wrote:
21

22 The Walji family is well regarded in our community as one of the
23 pioneer families from the Ugandan Asian community that settled in
24 Canada just before the influx of Ugandan Asian refugees in 1972.
25 These pioneer families played an important role in assisting incoming
26 Ugandan refugee families settle in their new homeland.
27

28 Ex. 4.

1 Nasir Walji discussed Munir's specific role in refugee resettlement, writing
2 that "[w]hen more Ugandan refugees arrived, Munir was part of the team that met
3 them at the airport, registered them, and directed them to where they could find a
4 place to stay. His efforts extended beyond our family to help newcomers
5 assimilate. He helped them build resumes, ensure they had enough food and taught
6 English to those who didn't speak it." Ex. 2.
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9 Shabir Walji likewise recalls that Mr. Walji became a leader in his family to
10 guide their progress in Canada. He wrote, "[s]ince [Munir] is eldest, our father
11 looked to him in the ways of a new country. Our father was able to acquire a small
12 bakery company where all of us worked after school and weekends to get ahead in
13 life. Munir has this burden on him but never complained and instead chose to find
14 times and way to help others." Ex. 2.
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17 Mr. Walji's father understood that for their family to continue to succeed in
18 their new surroundings, education would be of paramount importance. Although
19 Mr. Walji wanted to work to continue to provide support for his family, his father
20 persuaded him to pursue a Bachelor of Arts Degree. Mr. Walji worked his way to
21 pay for college (including taking a semester off to save up for tuition fees) and was
22 able to graduate in 1974.
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1 This led him to begin a successful business career. Mr. Walji read about a
2 bankrupt candy company in Seattle through a newspaper classified ad, and he
3
4 decided to buy the enterprise. He was able to successfully reposition the company
5
6 to make private label candies for local businesses, including the world-famous
7 “Frango” candy for Fredrick & Nelson. Mr. Walji sold the business and used the
8
9 resulting funds to build a career in the hotel and hospitality industry. At its peak,
10
11 his business employed approximately 20 people, had 7-figure annual revenue, and
12 managed hotel properties around the world.

13 During his career, Mr. Walji forged a reputation in the business community
14
15 for being ethical, honest, and generous. James Scott, a former employee of Mr.
16
17 Walji’s real estate business wrote, “Mr. Walji has always held the highest
18
19 professional standards, which he instills in his team with integrity and
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21 commitment. He is deeply rooted in his personal faith and values, which are
22
23 evident in every aspect of his work and personal life.” Ex. 4. Mr. Scott specifically
24
25 noted how Mr. Walji cared for the communities where he owned or managed
26
27 properties. He wrote that “[w]hen San Pedro, Ambergris Caye . . . was struck by
28
Hurricanes Mitch in 1998 and Keith in 2000, Mr. Walji not only rebuilt his resort
but was instrumental in helping local families and employees recover from the

1 devastation. His commitment to community welfare and resilience was
2 inspirational and played a crucial role in the recovery efforts.” *Id.*
3

4 Mr. Walji’s business partner of 30 years, Edmond Lee, provided further
5 insight into Mr. Walji’s values and business ethics, writing:
6

7 After we sold our first hotel at a good profit, Munir said to me
8 something along these lines, “Now Ed, in our family business after we
9 have a successful investment, we make it a practice to give a portion
10 of our profits to those in greater need. This is a way of expressing
11 gratitude for our good fortune. . . .(and it also ensures a bit of luck for
12 the next time!).” So we decided to adopt that tradition within our
13 partnership (not in lieu of our own personal charitable donations, but
14 in addition to them). One time he would choose the charity and the
15 next time I would make the choice. That small practice is something
16 that has always stayed with me, and I’ve shared the story with my
17 own children and many times in business and faith settings as an
18 example of how even in our business relationships we can uplift and
19 encourage one another toward good works.
20

21 Ex. 4.

22 Charles Farrell, another business associate who has known Mr. Walji for
23 many decades, wrote to reinforce how his personal ethics inspired those around
24 him. Mr. Farrell wrote:
25

26 Our country should be proud to have such citizens [as Mr. Walji]. [Mr
27 Walji] has worked very hard making many businesses successful.
28 [Mr. Walji] is an astute, courteous, hardworking, thoughtful, law
abiding person and businessman... He has the utmost respect for
others and is kind, gracious, and respectful to everyone he encounters,
particularly to women.

Ex. 4.

1 Mr. Walji's former employee, Keiko Sylte, wrote a letter describing her
2 experience working for Mr. Walji from 2002 to 2009. She shared:

3
4 I was working and had 3 school children at the time. Whenever I
5 need[ed] to go to pick up my children because of sickness or other
6 situations he always [gave] me time to take care of my family...I
7 really appreciate his family ethic coming before work. I always felt
8 comfortable working with him even if just the two of us were
9 working...I can see their family is so close and intimate...He is a real
family man with [a] genuine heart.

10 Ex. 4.

11
12 Mr. Walji's success in business was accompanied by a happy and loving
13 home life. Mr. Walji met his wife, Nimira Walji, in 1980 and they married the
14 same year on August 30th. They have a happy marriage and two wonderful adult
15 children, Nabila and Naeem Walji. Mr. Walji is a very loving husband and father
16 and enjoys a strong bond with his wife and children. Nimira provided a letter of
17 support describing her observations of Mr. Walji's kindness, sincerity and
18 respectfulness for many, many years. She wrote, "I could provide so many
19 examples and details of his decency and his sense of right and wrong, and so forth,
20 but they would still fail to adequately convey the fact that at his core, he is a better
21 person than I ever hoped to marry." Ex. 2.

22
23 Mr. Walji has raised two children who are a testament to his commitment as
24 a father. Nabila Walji, Mr. Walji's daughter and first-born child, wrote a letter that
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1 includes a description of her father's loving and sensitive nature. She wrote, "I
2 wish you could see my dad through my eyes. He has spent my whole life trying to
3 protect me and keep me safe. He knows how sacred the gift of a daughter is, and
4 has never, ever done anything to show me otherwise." She went on to write, "I'll
5 never forget the day we said goodbye after my family dropped me off at University
6 – I have never seen my dad cry like that before. And, to this day, he fights back
7 tears *every single time* he has to say goodbye to me." Ex. 2.
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11 Mr. Walji's son, Naeem Walji, provided a letter discussing his admiration
12 for his father. He writes:
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14 My father has always been a guiding light for our family. From an
15 early age, he instilled in me and my sister the values of hard work,
16 empathy, and kindness. He has consistently demonstrated these
17 principles not only at home but also in his interactions with those
18 around him. Whether through constant and continuous engagement in
19 our community, always being the first person many of our family
20 friends or business partners called in a time of need, or providing
21 mentorship, life experience, and best practices to others regardless of
22 their means or backgrounds, my father's selflessness has been a
23 defining trait throughout his life. It has been incredibly impactful on
24 how I live my life and conduct myself. It has turned me into the man I
25 am today.

26 Ex. 2.
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29 Mr. Walji is also known for being a loving and compassionate friend to
30 many people in his community. Robin Thomas, Mr. Walji's friend of 40 years, lost

1 her daughter in a tragic accident many years ago. Ms. Thomas's surviving
2 daughter, Alice Thomas-Smyth writes,
3

4 Munir was always a second father to me, he has always been so kind
5 and generous, treating me as a member of his family and doing
6 everything he could to make sure I felt welcomed and cared for. When
7 my sister died in 2001, Munir stepped up with his time, his heart, and
8 his home to shelter us as a family. While my parents were deep in
9 grief, I often spent much of my time at the Walji family's home in my
10 own grief, where I was welcomed as a part of the family. When my
11 relationship with my own biological father irrevocably shattered a few
12 years later, Munir became the sole father figure in my life and he
13 always cared for me exactly as his own children.

14 Ex. 4.

15 Navpreet Singh has been Mr. Walji's neighbor for the past decade. He
16 wished to share the following information with the Court about their relationship:

17 [H]e has consistently displayed qualities such as forthrightness,
18 reliability, care, and respect towards my family and me. His gentle
19 and jovial demeanor makes it very easy to warm up to him, and he has
20 created a sense of trust that has allowed me to share my worries and
21 concerns with him. Munir's advice is always measured, steadfast, and
22 thoughtful, which has been invaluable to me... While away on
23 business, I have always had the peace of mind that Munir is just yards
24 away from my family in case of an emergency. We are, indeed, very
25 fortunate to have him for a neighbor and friend.

26 Ex. 4.

27 These quotations are just a small sampling of the many friends, family
28 members, and business associates that can attest to his life and accomplishments.

1 Each of the attached exhibits provides more significant insight into his remarkable
2 relationships with people from a range of backgrounds.
3

4 **C. Mr. Walji's Current Health Issues**

5 At 72 years old, Mr. Walji's health is failing him. In 2020, he was diagnosed
6 with the blood cancer multiple myeloma. Mr. Walji had intensive chemotherapy
7 for eighteen months; fortunately, this was largely successful in taming the disease.
8 This particular form of cancer is persistent, however, and he still must take oral
9 chemotherapy medications. Specifically, he takes oral chemotherapy drugs daily
10 each day for three weeks, then takes one week off. As his oncologist, Dr. Henry
11 Yi, notes, the chemotherapy is a "toxic" medication that requires constant
12 monitoring via blood tests and in-person visits. Exhibit 1 (Letters from medical
13 providers). If any test shows the recurrence of the myeloma, Mr. Walji will need to
14 immediately restart intensive infusion chemotherapy.
15

16 Cancer, however, is not the most serious health issue that Mr. Walji faces.
17 The greatest risk to his health is the fact that his severe asthma—when combined
18 with the immunosuppressant effects of chemotherapy drugs—puts him at a severe
19 risk for respiratory infections. His pulmonologist, Dr. Linda Anderson, describes
20 his asthma as "very severe" and notes that his lung function is "half" of that of a
21 normal adult his age. Ex. 1. He has weekly appointments at Northwest Therapy
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Center in Northgate for asthma, and frequently has to schedule a second weekly appointment to manage his symptoms. Despite this, he is still highly susceptible to experiencing severe complications from respiratory illnesses. The following chart outlines how severely Mr. Walji has recently been affected by respiratory infections:

12/13/21	E.R. Eval for viral pneumonia
1/4/23	3 day hospitalization for Viral Pneumonia
4/14/23	E.R. visit for shortness of breath
8/22/23	Office eval for Bacterial Bronchitis
11/17/23	E.R. eval for Viral Bronchitis
1/2/24	E.R. eval for Abdominal Pain
2/7/24	2 day hospitalization for Influenza
7/5/24	E.R. eval for Viral Enteritis
9/22/24	3 day hospitalization for Bacterial Pneumonia
12/5/24	1 day hospitalization for acute bronchitis (*after Dr. Li's letter was received)

In addition to the risks posed to Mr. Walji's health by his underlying cancer and his chemotherapy drugs, Mr. Walji is also managing a host of other chronic health conditions. These conditions include Type II diabetes, fatty liver disease, sleep apnea (which requires a CPAP machine, and others. He takes approximately 20 prescription oral medications daily, including oral chemotherapy, and receives

1 other intermittent injectable and oral medications on a regular basis such as a
2 Dupixent injection every 2 weeks for severe persistent asthma. At this stage of his
3 life, he averages 4-6 medical appointments each week.
4

5 Since his conviction Mr. Walji is also now prescribed Lorazepam,
6 Citalopram, and Oxcarbazepine to manage depression and anxiety that he has been
7 experiencing. A complete list of his medications, along with letters from his
8 treating physicians, is included in Exhibit 1.
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11 Finally, Mr. Walji has excruciating nerve pain in his legs, caused both by
12 restless leg syndrome and neuropathy related to his chemotherapy. He has tried
13 physical therapy, injections, nerve medication, massage, acupuncture, and other
14 treatments to no avail. One of the only things that provides him with a measure of
15 relief from the pain is putting his legs into an external pneumatic compression
16 machine. He is currently working with his doctor to schedule a surgery to implant a
17 nerve-blocking device on his spine in the hope that it will suppress or interrupt the
18 pain signals from his legs that torment his brain each day.
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22 **IV. ANALYSIS OF 18 U.S.C. § 3553 FACTORS**

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24 The “overarching duty” of a sentencing court is to “impose a sentence that is
25 sufficient, but not great than necessary, to comply with the sentencing purposes set
26 forth in [18 U.S.C.] §3553(a)(2).” *Pepper v. United States*, 562 U.S. 476, 491
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(2011) (internal quotation marks omitted). As the Ninth Circuit has emphasized, “[s]entencing is an art, not to be performed as a mechanical process but as a sensitive response to a particular person who has a particular personal history and has committed a particular crime.” *United States v. Harris*, 679 F.3d 1179, 1183 (9th Cir. 2012). The factors outlined under 18 U.S.C. §3553(a) weigh heavily in favor of imposing a sentence for Mr. Walji that does not involve a period of BOP supervision.

A. Nature of the Offense

This Court presided over the trial and is aware of the evidence. There was no allegation that Mr. Walji used force against MV1, that he deceived MV1, or that he supplied drugs or alcohol in order to perpetrate any alleged sexual contact. Further, the jury found that Mr. Walji never touched MV1’s genitalia.

B. History and Characteristics of the Defendant

Mr. Walji is 72 years old and has no criminal history at all. He has flown approximately 3 million miles throughout his career and has never been accused of any type of misconduct on an airplane, much less unwanted touching or sexual assault.

The record before this Court demonstrates that apart from these allegations, Mr. Walji has lived an exemplary life. Mr. Walji is a well-loved member of his

1 community as demonstrated by significant attendance throughout his trial. The
2 Defense received 81 letters of support from family, friends, and other community
3 members on behalf of Mr. Walji. In reviewing these letters, it is apparent that
4 Mr. Walji's impact on his community has been overwhelmingly positive. He is
5 cherished by his family and friends.
6

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8 Mr. Walji's kindness, empathy, and generosity has resulted in an outpouring
9 of support for an alternative sentence to confinement. Removing him from his
10 family and the community is not only a serious threat to his physical well-being,
11 but will have a substantial negative impact on the people that love him and rely on
12 him. As detailed in the many letters of support provided to the Court, Mr. Walji is
13 committed to his family and community and will continue to use what energy he
14 has left for their benefit despite his significant and persistent health challenges.
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18 **C. The Need for the Sentence to Reflect the Seriousness of the Offense,**
19 **Promote Respect for the Law, and Provide Just Punishment**

20 Supervision in the community is an appropriate outcome for this case. While
21 the jury's verdict reflects their view that he engaged in sexual misconduct, the jury
22 also rejected the allegation that Mr. Walji actually touched MV1's genitalia.
23 Notably, had Mr. Walji been accused of this precise misconduct after the plane had
24 touched down at SeaTac Airport, it is most likely he would have been charged with
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1 Attempted Rape of a Child in the Third Degree, which is a gross misdemeanor
2 under Washington state law that does not carry any mandatory jail time.
3

4 The fact of the conviction—and the resulting lifetime sex offender
5 registration and ten-year minimum period of supervised release—constitute
6 sufficient punishment to reflect the seriousness of the offense. Given this
7 conviction, Mr. Walji has no realistic chance of reconstituting his business, which
8 was already struggling during the pendency of this case. Not only will his travel to
9 potential development properties be severely curtailed, his ability to raise funds
10 from investors and banks will be all but eliminated by the existence of his criminal
11 record.
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15 **D. The Need to Protect the Public From Further Crimes of the**
16 **Defendant.**

17 Mr. Walji has no criminal history. Scores of individuals with children the
18 same age as MV1 have written to this Court to express their love and support for
19 him. Mr. Walji has been amenable to supervision throughout the pendency of this
20 case, including actively participating in the weekly support sessions offered by
21 pretrial services. He has diligently followed all orders of this Court. Mr. Walji has
22 taken multiple trips by air while this case was pending without incident. It is
23 difficult to imagine what more any person in Mr. Walji's shoes could do to
24 demonstrate that he is not a danger to the public.
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E. The Need to Provide the Defendant with the Needed Educational or Vocational Training, Medical Care, or Other Correctional Treatment in the Most Effective Manner.

Incarceration poses a serious risk to Mr. Walji's physical wellbeing. It is extremely unlikely that Mr. Walji could receive adequate medical care in custody when he is currently surviving due to his consumption of costly daily medication for long-term chronic diseases that have suppressed his immune system and limited his breathing capacity. Mr. Walji's medical care team has not only expressed private concerns about the risks of a prison environment to Mr. Walji's health, but taken the unusual step of writing letters to this Court directly advocating against placing Mr. Walji in a carceral setting where his risk of infection will increase. Mr. Walji's pulmonologist, Dr. Linda Anderson, his oncologist, Dr. Henry Y. Li, and his immunologist, Dr. Arvinder Mokha, have provided letters indicating significant medical concerns that support imposing a period of community supervision.

Dr. Anderson, Mr. Walji's Pulmonologist, wrote a letter to this Court indicating Mr. Walji, "has very severe asthma with lung function reduced to half normal for someone his age." Ex. 1. The letter documents several recent hospitalizations related to respiratory infections, and states, "[w]ithout regular treatment of his lung disease he would have worsening symptoms including severe shortness of breath potentially developing respiratory failure and the need for

1 hospitalization. Conditions that may increase his risk of contracting a respiratory
2 infection such as a jail setting would be very risky for him.” *Id.* Dr. Li concurs with
3 this assessment; he “urge[s] the Court to consider alternative means of confinement
4 that would have a less adverse impact on his already fragile health, such as home
5 confinement.” Ex. 1.
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8 **F. The Kinds of Sentences Available**

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10 There is no mandatory minimum sentence in this case. This Court has broad
11 authority to craft a sentence that meets the objectives of Section 3553.
12

13 **G. The Need to Avoid Unwarranted Sentencing Disparities**

14 Milan Edward Jurkovic, a 34-year-old man, was found guilty after trial on
15 December 8, 2023, of one count of Abusive Sexual Contact of a minor in a special
16 aircraft jurisdiction. *See* No. 2:23-001-RSL (W.D. Wash.). According to the
17 Government’s sentencing memorandum, Mr. Jurkovic was found to have placed
18 his hand on the minor victim’s thigh under a blanket for approximately 30 minutes.
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20 Mr. Jurkovic moved his hand along her inner thigh, squeezing her thigh as he
21 touched her. He moved his hand along her inner thigh toward her genitalia, at
22 which point her shocked freeze broke.
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25 Mr. Jurkovic was ultimately sentenced to serve 8 months at the Sea Tac
26 Federal Detention Center. Yet unlike this case, there was no discussion in the
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1 Defendant's or Government's sentencing memorandum in Mr. Jurkovic's case that
2 a carceral sentence would pose a significant risk to his physical well-being. What
3 is more, Mr. Walji's background and characteristics differ substantially from
4 Mr. Jurkovic's, providing additional justification for a more lenient sentence than
5 Mr. Jurkovic received.
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8 Given that the Bureau of Prisons is simply not equipped to meet Mr. Walji's
9 medical needs, a sentence of a period of community supervision (in conjunction
10 with home confinement if the Court deems it necessary) would not be an
11 unwarranted disparity considering Mr. Walji's severe persistent health issues and
12 advanced age.
13
14

15 **V. CONCLUSION**

16 The Defense respectfully requests the Court impose a sentence of
17 community supervision, in conjunction with home confinement if necessary, for a
18 period sufficient to meet the objectives of §3553(b).
19
20

21 DATED this 10th day of January, 2025

22 Respectfully submitted,

23 /s/Tim Rusk

24 Tim Rusk

25 ATTORNEY FOR THE
26 DEFENDANT
27
28

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record.

s/Tim Rusk

Tim Rusk
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